

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA, . Criminal No. 13-cr-00233-SJF-WDW
.
Vs. .
. 100 Federal Plaza
. Central Islip, NY
MONA OWENS, .
. DATE December 19, 2013
.

TRANSCRIPT OF PLEA
BEFORE HONORABLE WILLIAM D. WALL
UNITED STATES DISTRICT MAGISTRATE

**FILED
CLERK**

2/4/2014

**U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE**

APPEARANCES:

For the Government: UNITED STATES ATTORNEYS OFFICE
EASTERN DISTRICT OF NEW YORK
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For the Defendant: FEDERAL DEFENDERS OF NEW YORK, INC.
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1 THE CLERK: Calling case 13-cr-233, United States of
2 America versus Mona Owens. Counsel, please state your
3 appearance on the record.

4 MS. JONES: Demetri Jones for the United States.
5 Good morning, Judge.

6 THE COURT: Good morning.

7 MS. CHAVIS: Randi Chavis, Federal Defenders on
8 behalf of Ms. Owens. Good morning, Your Honor.

9 THE COURT: Good morning Ms. Chavis. Okay, Ms.
10 Owens, the purpose of this proceeding is to make sure that you
11 know and understand what crimes you're charged with. Make sure
12 you're represented by an attorney. To address the question of
13 whether you should be released on bail or held in jail. You
14 need not make any statement. Any statement you do make can be
15 used against you, do you understand?

16 THE DEFENDANT: Yes.

17 THE COURT: Ms. Chavis represents you. Ms. Chavis,
18 have you had an opportunity to review the information with Ms.
19 Owens? Are you satisfied that she understands it?

20 MS. CHAVIS: Yes, Your Honor, I am. I also had the
21 opportunity to review with her her rights with respect to being
22 indicted, and she's signed a waiver of indictment as well, and
23 agrees to proceed by information.

24 THE COURT: Very well. And how is she pleading to
25 the information?

1 MS. CHAVIS: Your Honor, at this time Ms. Owens
2 enters a plea of not guilty. We have, I have had plea
3 negotiations with Mr. Canty, who is the Assistant assigned to
4 the case. And he had tendered to me a plea agreement, a
5 proposed plea agreement. We had had some discussions about the
6 loss figure and some questions that I had. And I believe we
7 had agreed that the, that would have a plea agreement that
8 either indicated that there was some question as to the loss
9 figure, or that we would determine the loss figure, the
10 certainty of the loss figure at a later time, with the
11 understanding that the Government's number was what it was.
12 And could result in the guideline range that it results in.

13 But the plea agreement that is the only one before us
14 has a sentence in it that we stipulate to the guidelines
15 calculations, and since we don't stipulate to the guidelines
16 calculation, I need to just have, I need to request that Mr.
17 Canty, who I think has indicated that he is okay with it, that
18 he tender a new plea agreement.

19 THE COURT: Okay.

20 MS. CHAVIS: Since he's not here today, we're
21 requesting another date to come back to plead to guilt.

22 THE COURT: Do you want us to give you a date?

23 MS. CHAVIS: Yes, please. Is that a really long,
24 that was a long way of saying it.

25 THE COURT: I'm sorry?

1 MS. CHAVIS: I'm just looking at your courtroom
2 deputy's face, Your Honor, it's sort of like, if all you wanted
3 was a new date, why didn't you just say that.

4 THE COURT: Well, she likes to hear your speech. I'm
5 not back until after New Year's, January 6th is the first day
6 I'm back. Or you could do it --

7 (Counsel confer)

8 MS. CHAVIS: Your Honor, since we Mr. Canty, we don't
9 know Mr. Canty's schedule, perhaps if we could have a date
10 during the week of the 13th? That way if we can come in
11 earlier we can, it will give us time to schedule it at his
12 convenience.

13 THE COURT: Okay. Any day you want is fine with us.

14 MS. CHAVIS: Okay, Tuesday the 14th?

15 THE COURT: Okay. 11 o'clock.

16 MS. CHAVIS: If we could make it noon.

17 THE COURT: Okay.

18 MS. CHAVIS: Thank you.

19 THE COURT: January 14th at noon.

20 MS. JONES: And we'll need to have a speedy trial
21 waiver and order or excludable delay because now she's been
22 arraigned on the information, so the clock will start to run,
23 Your Honor.

24 THE COURT: Okay.

25 MS. CHAVIS: I have discussed with her her rights

1 under the Speedy Trial Act and because we're still involved in
2 the plea negotiations, we are asking the Court to accept her
3 waiver to the speedy trial.

4 THE COURT: What's the Government's position
5 regarding retention, Ms. Jones?

6 MS. JONES: Your Honor, we have no objection to the
7 bail status continuing as is.

8 THE COURT: Okay. I signed the order of excludable
9 delay. Bail is continued. Anything else on behalf of the
10 Government?

11 MS. JONES: Nothing from the Government, Your Honor.

12 THE COURT: Ms. Chavis?

13 MS. CHAVIS: No, Your Honor, thank you very much.

14 THE COURT: Okay, thank you folks.

15 * * * * *

16 **C E R T I F I C A T I O N**

17 I, **PATRICIA POOLE**, court approved transcriber,
18 certify that the foregoing is a correct transcript from the
19 official electronic sound recording of the proceedings in the
20 above-entitled matter.

21

22

23 /S/ PATRICIA POOLE

24 TRACY GRIBBEN TRANSCRIPTION, LLC

DATE: February 4, 2014

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